

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ROBERT FOX,

Plaintiff,

v.

CITY OF BELLINGHAM,

Defendant.

Case No. C19-955RSL

**FIFTH AMENDED ORDER
SETTING TRIAL DATE &
RELATED DATES**

TRIAL DATE

March 28, 2023

Agreed pretrial order due

March 16, 2023

Pretrial conference to be scheduled by the Court

Trial briefs, proposed voir dire questions, proposed jury
instructions, and trial exhibits due

March 23, 2023

Length of Trial: 3 days

Jury

These dates are set by the Court at the request of counsel. All other dates are specified in the Local Civil Rules. If any of the dates identified in this Order or the Local Civil Rules fall on a weekend or federal holiday, the act or event shall be performed on the next business day.

These are firm dates that can be changed only by order of the Court, not by agreement of counsel or the parties. The Court will alter these dates only upon good cause shown; failure to complete discovery within the time allowed is not recognized as good cause.

1 If the trial date assigned to this matter creates an irreconcilable conflict, counsel must
2 notify Teri Roberts, the judicial assistant, at 206-370-8810 within 10 days of the date of this
3 Order and must set forth the exact nature of the conflict. A failure to do so will be deemed a
4 waiver. Counsel must be prepared to begin trial on the date scheduled, but it should be
5 understood that the trial may have to await the completion of other cases.

6 The settlement conference conducted between the close of discovery and the filing of
7 dispositive motions requires a face-to-face meeting or a telephone conference between persons
8 with authority to settle the case. The settlement conference does not have to involve a third-
9 party neutral.

10 ALTERATIONS TO ELECTRONIC FILING PROCEDURES AND LOCAL RULES

11 Information and procedures for electronic filing can be found on the Western District of
12 Washington's website at www.wawd.uscourts.gov. *Pro se* litigants may file either
13 electronically or in paper form. The following alterations to the Electronic Filing Procedures
14 apply in all cases pending before Judge Lasnik:

15 – Alteration to LCR 10(e)(9) - Effective July 1, 2014, the Western District of Washington
16 will no longer accept courtesy copies in 3-ring binders. All courtesy copies must be 3-hole
17 punched, tabbed, and bound by rubber bands or clips. If any courtesy copies are delivered to the
18 intake desk or chambers in 3-ring binders, the binders will be returned immediately. This policy
19 does **NOT** apply to the submission of trial exhibits.

20 – Alteration to Section III, Paragraph M of the Electronic Filing Procedures - Unless the
21 proposed order is stipulated, agreed, or otherwise uncontested, the parties need not e-mail a copy
22 of the order to the judge's e-mail address.

23 – Pursuant to LCR 10(e)(10), all references in the parties' filings to exhibits should be as
24 specific as possible (*i.e.*, the reference should cite the specific page numbers, paragraphs, line

1 numbers, etc.). All exhibits must be marked to designate testimony or evidence referred to in the
2 parties' filings. Filings that do not comply with LCR 10(e) may be rejected and/or returned to
3 the filing party, particularly if a party submits lengthy deposition testimony without highlighting
4 or other required markings.

5 – Alteration to LCR 7(d)(4) - Any motion *in limine* must be filed by the date set forth
6 above and noted on the motion calendar no earlier than the second Friday thereafter. Any
7 response is due on or before the Wednesday before the noting date. Parties may file and serve
8 reply memoranda, not to exceed nine pages in length, on or before the noting date.

9 PRIVACY POLICY

10 Pursuant to Federal Rule of Civil Procedure 5.2 and LCR 5.2, parties must redact the
11 following information from documents and exhibits before they are filed with the court:

12 * Dates of Birth - redact to the year of birth

13 * Names of Minor Children - redact to the initials

14 * Social Security Numbers and Taxpayer Identification Numbers - redact in their entirety

15 * Financial Accounting Information - redact to the last four digits

16 * Passport Numbers and Driver License Numbers - redact in their entirety

17 All documents filed in the above-captioned matter must comply with Federal Rule of
18 Civil Procedure 5.2 and LCR 5.2.

19 COOPERATION

20 As required by LCR 37(a), all discovery matters are to be resolved by agreement if
21 possible. Counsel are further directed to cooperate in preparing the final pretrial order in the
22 format required by LCR 16.1, except as ordered below.

1 TRIAL EXHIBITS

2 The original and one copy of the trial exhibits are to be delivered to chambers five days
3 before the trial date. Each exhibit shall be clearly marked. Exhibit tags are available in the
4 Clerk's Office. The Court hereby alters the LCR 16.1 procedure for numbering exhibits:
5 plaintiff's exhibits shall be numbered consecutively beginning with 1; defendant's exhibits shall
6 be numbered consecutively beginning with 500. Duplicate documents shall not be listed twice:
7 once a party has identified an exhibit in the pretrial order, any party may use it. Each set of
8 exhibits shall be submitted in a three-ring binder with appropriately numbered tabs.

9 SETTLEMENT

10 Should this case settle, counsel shall notify the Deputy Clerk, Victoria Ericksen at 206-
11 370-8517, as soon as possible. Pursuant to LCR 11(b), an attorney who fails to give the Deputy
12 Clerk prompt notice of settlement may be subject to such discipline as the Court deems
13 appropriate.

14 DATED this 8th day of December, 2022.

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17 Robert S. Lasnik
18 United States District Judge
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